

II. REMARKS

The Examiner is requested to reconsider the application in view of the foregoing amendment and the following remarks.

Respectfully, and generally for the reasons set forth below, the objection and rejections and each ground therefore -- to the extent not rendered moot by the foregoing Amendment -- are traversed. Generally, it is believed that the amendment adds no new matter.

Commencing on page 2 of the Office Action, claim 1 has been objected to because of an informality.

In response, the objection is believed to be moot in view of the amendment.

Commencing on page 2 of the Office Action, claims 1-15 have been rejected pursuant to 35 U.S.C. Sec. 103. The Examiner contends that the claims are obvious over Milstein, in view of "common knowledge" and "common sense" and in the alternative, the combination of Tunica and Milstein.

In response, the Applicant respectfully traverses the rejection as improper. As to the contention concerning "common knowledge" and "common knowledge," Applicant respectfully requires a prior art reference or the Examiner's declaration to evidence the contentions.

As to the contention concerning Tunica and Milstein, the rejection is respectfully traversed as improper. As previously stated, no cited art teaches or suggests forming pieces corresponding to the design... at at least one grower location in combination with installing the pieces at a user's location, as is more precisely stated in the claim requirements as a whole.

The rejection pursuant to 35 U.S.C. Sec. 103 is respectfully traversed as follows:

- (1) Not all claim requirements are shown in the cited art.
- (2) The reasoning of the rejection would render the construction of the cited art inoperable for its intended purposes.

- (3) The reasoning of the rejection would change the principles of operation of the cited art.
- (4) There was no motivation or suggestion in the art, as of the filing date of the priority date of the instant application that would have prompted one skilled in the art to make the modification proposed in the Office Action.

As to the other "prior art made of record and not relied upon," Applicant respectfully traverses the contention that any of the cited art "encompasses the method of the instant invention" as improper pursuant to 35 U.S.C. Sec. 132.

The application, as amended, is believed to be in condition for allowance, and favorable action is requested. If the prosecution of this case can be in any way advanced by a telephone discussion, the Examiner is requested to call the undersigned at (312) 240-0824. If a petition for extension of time or other petition is required, it is requested that this be deemed such.

APPLICANT CLAIMS SMALL ENTITY STATUS. The Commissioner is hereby authorized to charge any fees associated with the above-identified patent application or credit any overcharges to Deposit Account No. 50-0235.

Please direct all correspondence to the undersigned at the address given below.

Respectfully submitted,



Peter K. Trzyna
(Reg. No. 32,601)

Date: June 6, 2006

P.O. Box 7131
Chicago, IL 60680-7131

(312) 240-0824